

STATE OF GEORGIA  
DEPARTMENT OF NATURAL RESOURCES  
ENVIRONMENTAL PROTECTION DIVISION

GENERAL LAND APPLICATION SYSTEM PERMIT  
FOR LAND DISPOSAL OF DOMESTIC SEPTAGE

GENERAL PERMIT NO. GAG620000

In accordance with the provisions of the Georgia Water Quality Control Act (O.C.G.A. §12-5-20), and the Rules and Regulations (Chapters 391-3-6-.23 and 391-3-6-.19, as amended) promulgated pursuant thereto, this permit is issued for the land disposal of domestic septage by either injection or incorporation within the State of Georgia.

Any site that receives septage and any person who prepares or applies septage for land application shall, on submittal of a Notice of Intent and after acknowledgement by the Environmental Protection Division of coverage under this permit, carry out the land application of domestic septage in accordance with the limitations, monitoring requirements, and other conditions set forth in this permit.

This permit is conditioned upon the permittee complying with the limitations, monitoring requirements and other conditions set forth in the permit, with the statements and supporting data submitted with the Notice of Intent and filed with the Environmental Protection Division of the Department of Natural Resources and with any requirements specified in the Notice of Intent acceptance letter.

This permit shall expire at midnight, September 29, 2016.



Signed this 30<sup>th</sup> day of September, 2011.

*F. All Barner*

Director,  
Environmental Protection Division

**PART I**

**A. CONDITIONS**

1. DEFINITIONS: All terms used in this permit shall be interpreted in accordance with the definitions contained in the Rules and Regulations for Water Quality Control, unless otherwise defined in this permit.

Agronomic Rate: The septage application rate based on a dry weight basis determined to provide the amount of nitrogen needed by the food crop, feed crop, fiber crop, cover crop or vegetation grown on the land; and to minimize the amount of nitrogen in the domestic septage that passes below the root zone of the crop or vegetation grown on the land to the groundwater.

Annual septage application rate: The maximum amount of septage (dry weight basis) that may be applied to a unit area of land during a 365-day period.

Applicant: The owner of the site or the operator of the site.

Applier: The person who applies septage to the land.

Certification: The procedure by which an accreditation or certification agency, a state, or a Federal agency evaluates and acknowledges a person as meeting certain qualifications or standards. The certification shall be valid only for the time period specified by the agency.

Closure Plan: A plan approved by the Division for the clean up and closure of the septage land disposal site and associated waste storage and pretreatment facilities.

County Board of Health: The County Board of Health established by the Official Code of Georgia Annotated, Title 31-3-1 or its designee.

DHR: The Department of Human Resources of the State of Georgia.

Director: The Director of the EPD.

Division: The Environmental Protection Division of the Department of Natural Resources.

Domestic Septage: The liquid or solid material removed from a septic tank, cesspool, portable toilet, type III marine sanitation device, or a similar system that receives only domestic sewage. Domestic septage does not include liquid or solid material removed from a septic tank or similar treatment works that receives either commercial wastewater or industrial wastewater. Domestic septage does not include grease removed from a grease trap.

Domestic Sewage: Water and wastewater from humans or household operations that is discharged to a treatment works. This includes wastes derived from a toilet, bath, shower, sink, garbage disposal, dishwasher, and/or washing machine. Domestic sewage may include household sewage as well as sewage from establishments such as schools, restaurants, businesses and motels as long as the sewage does not contain other types of waste than those listed above.

EPA or US EPA: The United States Environmental Protection Agency and any of its authorized personnel.

EPD: The Environmental Protection Division of the Department of Natural Resources.

Existing Site: Any site that was in operation on January 1, 2002.

Facility: Any system from which domestic septage may originate.

Land Application System: Any method of disposing of pollutants in which the pollutants are applied to the surface or beneath the surface of a parcel of land and which results in the pollutants percolating, infiltrating, or being absorbed into the soil and then into the waters of the state.

Land disposal or applied to the land: The spraying or spreading of septage on the land surface; the injection of septage below the land surface; or the incorporation of septage into the soil at agronomic rates for the purpose of soil conditioning or fertilization of crops or vegetation grown in the soil.

Land with a low potential for public exposure: Land that the public uses infrequently. This includes, but is not limited to, agricultural land, forest, and a reclamation site located in an unpopulated area.

Monitoring well: A well purposely installed, in accordance with Division guidelines, to ensure monitoring results that provide an accurate representation of groundwater quality.

New Site: Any site that was not in operation on January 1, 2002.

Unauthorized System: Any system not addressed in the approved Septage Management Plan and NOI.

Notice of Intent (NOI): A form used by a potential permittee to notify the EPD that they intend to seek coverage under a general permit.

Notice of Termination (NOT): A form used by a permittee to notify the EPD that they wish to cease coverage under a general permit.

Operator or Certified Operator: The person who has direct general charge of the day-to-day field operation of the septage storage, pretreatment, and disposal system and who is responsible for the quality of the treated septage; and who holds a valid certification acceptable to the Division.

Owner: Any person owning land where septage or septic tank waste will be land applied.

Permit: A land disposal system permit issued to an applicant by the Division for a land disposal site that receives septage.

Permittee: The owner or operator of a septage disposal site that has submitted a Notice of Intent (NOI) for coverage under this general permit and which the EPD has authorized coverage under this permit.

Person: Any owner or operator who applies septage to land.

Septage: The same as "domestic septage".

Septage Management Plan: A detailed plan of operation for land disposal of septage. The plan shall, at a minimum, comply with the Rules and Regulations for Water Quality Control (Georgia Chapters 391-3-6-.23 as amended), the Federal Code of Regulations, Title 40, Part 503, and any additional requirements established by the EPD.

Septage Removal and Disposal Permit: A permit issued by a county board of health under the Rule for Onsite Sewage Management Systems of the Department of Human Resources. The permit authorizes a business to remove and dispose of the contents of the on-site sewage management system.

Septic System: A well or subsurface fluid distribution system that is used to emplace sanitary wastes below the surface and is typically comprised of a preapplication treatment system and subsurface fluid distribution system or disposal system.

Septic Tank: A watertight tank designed or used to receive sewage and to affect separation and organic decomposition of sewage solids and which discharges effluent to a subsurface disposal system.

Septic Tank Pumping and Hauling Business: A business that has been issued a septage removal and disposal permit by a county board of health for the removal and/or disposal of domestic septage.

Sewage Sludge: The liquid or solid residue generated during the treatment of domestic sewage in a preapplication treatment system.

Soil Fertility Test: A test to determine the nitrogen, phosphorous and potassium requirements for a crop grown on a unit of land.

Soil Report and Map: A site specific soil interpretative table that identifies as a minimum the following: the name of the soil series, the percent slope, the seasonal high groundwater table, the depth of any impervious layer, and the absorption rate for each horizon.

State Act: The Georgia Water Quality Control Act (Official Code of Georgia Annotated; Title 12, Chapter 5, Article 20).

Stockpile: To place septage on land in piles or in any other manner that does not constitute application to the land as defined in land disposal above.

Total solids: The materials in septage that remain as residue when the septage is dried at 103 to 105 degrees Celsius.

Treat, treatment, or pretreatment of septage: The preparation of septage for final use or disposal. This includes, but is not limited to, thickening, stabilization, and dewatering of septage. This does not include storage of septage.

Vector attraction: The characteristic of septage that attracts rodents, flies, mosquitoes, or other organisms capable of transporting infectious agents.

Volatile solids: The amount of the total solids in septage lost when the septage is combusted at 550 degrees Celsius in the presence of excess air.

Well: An excavation or opening into the ground by which groundwater is sought for use. This term shall not include monitoring wells used to sample for groundwater quality.

## 2. MONITORING

- a. Quarterly analyses required by this permit shall be performed in March, June, September, and December. Analyses required twice per year will be performed in June and December. Analyses required annually will be performed in June.
- b. Some parameters must be analyzed to the detection limits specified by the EPD. These parameters will be reported as "not detected" when they are below the detection limit and will be considered in compliance. The detection limit will also be reported.
- c. Analytical procedures, sample containers, sample preservation techniques, and sample holding times must be consistent with the techniques and procedures listed in 40 CFR Part 136 for monitoring.
- d. Samples and measurements of the monitored septage shall represent the volume and nature of the septage. The permittee shall maintain a written sampling and monitoring schedule.
- e. For each required parameter analyzed, the permittee shall record:
  - i. The exact place, date, and time of sampling, and the person(s) collecting the samples,
  - ii. The dates and times the analyses were performed,
  - iii. The person(s) who performed the analyses,
  - iv. The analytical procedures or methods used; and
  - v. The results of all required analyses.
- f. If the permittee monitors required parameters designated in this permit more frequently than required, the permittee shall analyze all samples using approved analytical methods. The results of this additional monitoring shall be included in calculating and reporting the values on the Operation Monitoring Report forms. The permittee shall indicate the monitoring frequency on the report.

3. ELIGIBILITY AND PERMIT COVERAGE AREA

- a. This permit will regulate septage land application systems by either incorporation or injection within the State of Georgia.
- b. Limitations on coverage: This permit does not authorize coverage to the following land application systems:
  - i. Systems associated with or containing biosolids;
  - ii. Systems that are covered by an individual land application system permit;
  - iii. Systems associated with or containing grease trap waste; or
  - iv. Systems associated with or containing industrial, commercial, solid, hazardous, or non-biodegradable wastes.

4. AUTHORIZATION

- a. The permittee applying or proposing to apply domestic septage to land application systems must submit a Notice of Intent (NOI) in accordance with this permit to be authorized coverage under this general permit. Such Notice of Intent shall be on forms as may be prescribed and furnished by the Division.
- b. Coverage under this general permit shall be effective upon receipt of notification of inclusion by EPD.
- c. The Division may deny coverage under this permit and require submittal of an application for an individual land application system permit based on a review of the NOI or other information.
- d. Notice of Intent Forms shall be submitted to the Wastewater Regulatory Program. The address for submittal of the form (and for obtaining the form) is:

Wastewater Regulatory Program  
Watershed Protection Branch  
Environmental Protection Division  
4220 International Parkway, Suite 101  
Atlanta, Georgia 30354

5. GENERAL REQUIREMENTS

- a. The annual application rate will be based on the Division approved septage management plan. The rate of septage application must be adjusted as necessary to prevent run-off of septage into buffer areas or waters of the State of Georgia.
- b. Those vehicles that are to be used for the transportation of septage (from the point of origin to the disposal site) shall be permitted by a county health

department in accordance with DHR rules and/or guidelines. All septage will be transported and unloaded to a permitted site in a manner as outlined in the septage management plan as approved by EPD.

- c. Septage shall not be applied to a site that is frozen, flooded, or snow-covered. If it is raining or if the soil is saturated, then septage application shall be delayed.
- d. If the septage must be stored due to weather or operational concerns, it may be stored only in accordance with the approved septage management plan and for a period not to exceed 15 days. Storage must not result in runoff or other environmental problems. Odor must be minimized.
- e. Septage shall not be applied to slopes greater than 10%, areas with karst topography or sinkholes, and groundwater recharge areas.
- f. The sites and location of the land application system shall consist of the number of acres identified in the Notice of Intent.
- g. All septage shall undergo screening (minimum screen size of 1/4"), and stabilization with a minimum of 50 lbs. of lime per 1000 gallons of septage within six (6) hours of receipt at the facility and before land application. Additional lime may be needed to raise the pH based on the content of the septage.
- h. Public access to the land application system shall be restricted by fencing or other means approved by the Division. Each site entrance shall be posted with a "No Trespassing" sign to identify the area as a land disposal site. The sign shall include the name and address of the person or business engaging in the land disposal of septage and the site permit number.

6. REPORTING AND RECORDS

- a. Required analytical results obtained by the permittee shall be summarized on an Operational Monitoring Report (OMR) form. The OMR forms shall be completed each quarter with the summarized monitoring results, signed in accordance with the Georgia Rules and Regulations For Water Quality Control, Chapter 391-3-6-.11(5)(e), and shall be maintained on file at the facility, unless otherwise notified in writing by the Division. The Division may require the reporting of additional monitoring results by written notification.
- b. The quarterly report shall also include:
  - i. a record of the time spent on site by the operator;
  - ii. a summary of the amount of septage received from each delivery, including hauler name, company, vehicle tag number, date, time, and origin of the septage;
  - iii. a written certification from each septage hauler for each load certifying that only domestic septage is being delivered to the land application site, accompanied by each customer's name and address, and the estimated volume of waste received from each customer that was delivered to the land application site;

- iv. a record of the pH value of each septage load when delivered, and the pH value after stabilization with lime;
  - v. the amount of septage applied (per field) at the land application system, with dates and times, the name of the applier, and the methods used to meet the pathogen and vector attraction reduction requirements; and
  - vi. a report on the crops grown and harvested at each site, including type of crop and date harvested.
- c. All reports or information generated in compliance with this permit must be signed in accordance with the Georgia Rules and Regulations For Water Quality Control, Chapter 391-3-6-.11(5)(e) and 391-3-6-.23(13).
- d. The permittee shall retain records of:
  - i. All laboratory analyses performed including sample data, quality control data, and standard curves;
  - ii. Calibration and maintenance records of laboratory instruments;
  - iii. Calibration and maintenance records and recordings from any continuous recording instruments;
  - iv. Process control monitoring records;
  - v. Facility operation and maintenance records;
  - vi. Copies of all reports required by this permit; and
  - vii. All data and information used to complete the NOI.
- e. These records and certifications shall be kept by the land application system owner/operator at the facility for at least five years. EPD may require that records be kept at the facility longer.

## **7. CLOSURE AND FINANCIAL ASSURANCE**

- a. **Non-governmentally Owned Septage Systems.** For non-governmentally owned septage systems, a trust indenture or other legal contract or agreement, acceptable to the Division, must be filed with the application for a permit. The trust indenture or other legal contract must establish and maintain evidence of financial responsibility to provide for the clean up and closure of the septage treatment facilities and the proper disposal of any remaining septage after closure of the facility. Available financial responsibility mechanisms include but are not limited to insurance, trust funds, surety bonds, letters of credit, personal bonds, certificates of deposit, financial tests, and corporate guarantees.
- b. Operation of the system will cease and the land disposal of septage will be eliminated and site decommissioned consistent with the closure plan submitted with the NOI.
- c. The closure plan shall include a schedule for completion of closure within six months after the system is removed from service. This plan shall be updated with future reissuances of the permit.
- d. For non-governmentally owned septage systems, failure of the applicant to close the facility in accordance with the Georgia Rules and Regulations For



Water Quality Control, Chapter 391-3-6-.23(4)(d) consistent with the Closure Plan and permit revocation shall allow the Director access to the financial assurance funds for use in the final closure of the system.

- e. A written agreement containing a specific date of the financial assurance responsibility between the current and new permittee (including acknowledgment that the existing permittee is liable for closure up to that date, and the new permittee is liable for closure from that date on) must be submitted to the Director at least 30 days in advance of the proposed transfer.
- f. Failure to maintain the financial assurance and/or loss of trustee and/or surety shall result in permit revocation.

8. EXPANSION OF SYSTEM

The permittee shall not allow any unauthorized sites or locations to receive domestic septage beyond that capacity identified in the Notice of Intent without written approval from EPD.

**B.1. SEPTAGE LOADING AND MONITORING REQUIREMENTS**

Representative samples of domestic septage shall be collected and analyzed for each parameter specified below. The samples shall be analyzed in accordance with the latest edition of Methods of Soil Analysis (published by the American Society of Agronomy, Madison, Wisconsin), methods contained in 40 CFR 503.8 (or as revised by EPA), or other methods approved by the Division. The monitoring frequency for septage is based on the amount of liquid gallons applied per acre per year. Land application of septage between 0-100 liquid gallons shall be monitored once per quarter, with applications greater than this monitored monthly. The maximum annual pollutant loading rate and cumulative pollutant loading rate limits shall not be exceeded in soil.

Parameter	Annual Pollutant Loading Rate (kg/hectare/year)	Cumulative Pollutant Loading Rate (kg/hectare)
Arsenic, mg/kg	2.0	41
Cadmium, mg/kg	1.9	39
Chromium mg/kg	150	3,000
Copper, mg/kg	75	1,500
Lead, mg/kg	15	300
Mercury, mg/kg	0.85	17
Nickel, mg/kg	21	420
Selenium, mg/kg	5.0	100
Zinc, mg/kg	140	2,800
Total Nitrogen, %	Report	Report
Ammonia as N, %	Report	Report
Total Kjeldahl Nitrogen, %	Report	Report
Nitrate as N, %	Report	Report
Volatile Solids, %	Report	Report
Total Solids, %	Report	Report
pH, standard units *	Report	Report
Total Suspended Solids, mg/l	Report	Report
Total Phosphorus as P, %	Report	Report
Total Potassium as K, %	Report	Report

The permittee may be required, upon written notification by the Division, to sample for additional parameters. These parameters may include additional heavy metals and organic compounds.

\* pH will be analyzed for each septage load received prior to screening and stabilization and also after stabilization with lime.

B.2. SEPTAGE - VECTOR ATTRACTION REDUCTION

The domestic septage, at the time of application, shall be disposed of by the permittee as specified below:

Operational Standard	Method	Limitations
Vector Attraction Reduction	Injection	<ol style="list-style-type: none"><li>1. Septage shall be injected below the surface of the land.</li><li>2. No significant amount of the septage shall be present on the land surface within one hour after the septage is injected.</li></ol>
	Incorporation	Septage shall be incorporated into the soil within 6 hours after land application.

B.3. SEPTAGE – PATHOGEN CONTROL

The following management practices must be met for compliance with pathogen control requirements:

Operational Standard	Limitations
Pathogen Control	<ol style="list-style-type: none"><li>1. Food crops with harvested parts that touch the land surface or that develop above the land surface shall not be harvested for fourteen (14) months after septage application.</li><li>2. Feed crops or fiber crops shall not be harvested for thirty (30) days after domestic septage application.</li><li>3. Food crops with harvested parts below the land surface shall not be harvested for thirty-eight (38) months after septage application.</li><li>4. Turf grown on land where septage is applied shall not be harvested for one (1) year after septage application.</li><li>5. Animals shall not be allowed to graze on the land for thirty (30) days after the application of septage.</li><li>6. Public access shall be restricted for thirty (30) days after the application of septage.</li><li>7. Septage shall not be applied to soils saturated with water or during rain events.</li><li>8. Septage shall not be applied to a site that is frozen, flooded, or snow-covered.</li></ol>

**B.4. SOIL MONITORING REQUIREMENTS**

Representative samples shall be collected from each major soil series present within the land application area. The samples shall be analyzed in accordance with the latest edition of Methods of Soil Analysis (published by the American Society of Agronomy, Madison, Wisconsin) or other methods approved by the Division. The soil samples shall be analyzed for the parameters and at the frequency listed below:

Parameter	Measurement Frequency
Soil Fertility Test*	One Day/Year

\*This testing is to be done in October of each year. The soil fertility testing is to include soil pH, nitrogen, phosphorus, potassium, calcium, magnesium, zinc, and manganese using the Mehlich I extraction procedure.

The permittee may be required, upon written notification by the Division, to sample for additional parameters. These parameters may include heavy metals and organic compounds.

**B.5. GROUNDWATER LIMITS AND MONITORING REQUIREMENTS**

Groundwater leaving the land application system boundaries must not exceed maximum contaminant levels for drinking water. The groundwater from each groundwater monitoring well (identified in the septage management plan) must be monitored by the permittee for the parameters and at the frequency below:

Parameter	Limit	Measurement Frequency
Depth to Groundwater	10 mg/L	One Day/Quarter
pH, standard units		One Day/Quarter
Electrical Conductivity		One Day/Quarter
Nitrate-Nitrogen		One Day/Quarter
Fecal Coliform Bacteria		One Day/Quarter

The permittee may be required, upon written notification by the Division, to sample for additional parameters. These parameters may include heavy metals and organic compounds.

## **PART II**

### **A. MANAGEMENT REQUIREMENTS**

#### **1. FACILITY OPERATION**

- a. The permittee shall not receive, process, or apply septage unless all preliminary treatment and if applicable an odor control technology (and related appurtenances) which are installed or used by the permittee to achieve compliance with the terms and conditions of this permit are in working order. If odor cannot be minimized, an odor control technology shall be placed in operation during the processing of the septage.
- b. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures.
- c. Proper operation of the land application system also includes the best management practice of establishing and maintaining a vegetative cover on the land application site.

#### **2. NONCOMPLIANCE NOTIFICATION**

- a. If, for any reason the permittee does not comply with, or will be unable to comply with any terms and limits specified in the permit, the permittee shall provide EPD with an oral report within 24 hours from the time the permittee becomes aware of the circumstances followed by a written report within five (5) days of becoming aware of such condition. The written submission shall contain the following information:
  - i. A description of the noncompliance and its cause;
  - ii. The period of noncompliance, including the exact date and times; or, if not corrected, the anticipated time the noncompliance is expected to continue; and
  - iii. The steps taken to reduce, eliminate, and prevent recurrence of the non-complying discharge.
- b. If, for any reason the permittee anticipates a noncompliance event, the permittee shall give written notice to the EPD at least 10 days before:
  - i. Any planned changes in the permitted facility; or
  - ii. Any activity that may result in noncompliance with the permit.
- c. The permittee must report all instances of noncompliance not reported under other specific reporting requirements, at the time monitoring reports are submitted. The reports shall contain the information required under conditions of twenty-four hour reporting.

3. OPERATOR CERTIFICATION REQUIREMENTS

The permittee shall ensure that:

- a. The operator in charge of the daily operation of this land application system is a Level II certified contractor in accordance with the Rules of Department of Human Resources Public Health Chapter 290-5-26.17, as amended, or must at a minimum demonstrate knowledge of the Rules by successfully passing the Department of Community Health examination.
- b. The operator in charge of the septage land application system shall be certified prior to start-up of the system. All offloading, processing, and application of septage shall be under the supervision of the operator.

4. LABORATORY ANALYST CERTIFICATION REQUIREMENTS

The permittee shall ensure that all persons performing the laboratory analyses for this wastewater treatment plant are Certified Wastewater Laboratory Analysts unless such analyses is performed in a commercial environmental laboratory that is approved by the Division under the Rules for Commercial Environmental Laboratories, Chapter 391-3-26.

5. ADVERSE IMPACT

The permittee shall take all reasonable steps to minimize or prevent any septage discharge or disposal that might adversely affect human health or the environment.

6. GROUNDWATER AND MONITORING WELL REQUIREMENTS

- a. Groundwater leaving the land application system boundaries must not exceed primary maximum contaminant levels for drinking water.
- b. If groundwater samples indicate contamination, the permittee will be required to submit to the director within 30 days a plan that will ensure that the primary maximum contaminant levels for drinking water are not exceeded.
- c. The plan will be implemented by the permittee immediately upon Division approval.
- d. The permittee, upon written notification by the Division, may be required to install groundwater monitoring wells at an existing land application system. This requirement may apply if monitoring wells were not included in the original design of the facility and also, if the Division determines the existing groundwater monitoring wells are not adequate.

B. RESPONSIBILITIES

1. COMPLIANCE

- a. The permittee must comply with this permit. Any permit noncompliance is a violation of the State Act, and the Georgia Rules and Regulations for Water Quality Control and is grounds for:

- i. Enforcement action;
  - ii. Permit termination, revocation and reissuance, or modification; or
  - iii. Denial of coverage under this permit.
- b. It shall not be a defense of the permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity to maintain compliance with the conditions of this permit.

2. RIGHT OF ENTRY

The permittee shall allow the Director of the EPD, the Regional Administrator of EPA, the Department of Human Resources, or the local County Health Department and their authorized representatives, agents, or employees after they present credentials to:

- a. Enter the permittee's premises where a regulated activity or facility is located, or where any records required by this permit are kept;
- b. Review and copy any records required by this permit;
- c. Inspect any facilities, equipment, practices, or operations regulated or required by this permit; and
- d. Sample any substance or parameter at any location.

3. SUBMITTAL OF INFORMATION

The permittee shall furnish to the Division, within a reasonable time, any information which the Division may request to determine whether cause exists for modifying, revoking and reissuing, or terminating coverage under this permit or to determine compliance with this permit. The permittee shall also furnish to the Division upon request, copies of records required to be kept by this permit. Where the permittee becomes aware that it failed to submit any relevant facts in a NOI, or submitted incorrect information in a NOI or in any report to the Division, the permittee shall promptly submit such facts or information.

4. TRANSFER OF OWNERSHIP OR CONTROL

Coverage under this permit may be transferred to another person by a permittee if:

- a. The permittee notifies the Director in writing of the proposed transfer at least 30 days in advance of the proposed transfer;
- b. A written agreement containing a specific date for transfer of permit responsibility and coverage between the current and new permittee (including acknowledgment that the existing permittee is liable for violations up to that date, and that the new permittee is liable for violations from that date on) is submitted to the Director at least 30 days in advance of the proposed transfer; and
- c. The Director, within thirty (30) days, does not notify the current permittee and the new permittee of the Division's intent to modify, revoke and reissue, or



terminate the permit and to require that a new NOI be filed rather than agreeing to the transfer of the permit.

5. PERMIT MODIFICATION

Coverage under this permit may be modified, terminated, or revoked and reissued in whole or in part during its term for causes including, but not limited to:

- a. Permit violations;
- b. Obtaining this permit by misrepresentation or by failure to disclose all relevant facts;
- c. Changing any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge; and
- d. Changes in septage characteristics.

The filing of a request by the permittee for permit modification, termination, revocation and reissuance, or notification of planned changes or anticipated noncompliance does not negate any permit condition.

6. PENALTIES

- a. The State Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit, makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be punished by a fine or by imprisonment, or by both. The State Act also provides procedures for imposing civil penalties which may be levied for violations of the Act, any permit condition or limitation established pursuant to the Act, or negligently or intentionally failing or refusing to comply with any final or emergency order of the Director of the Division.
- b. Nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance.

7. CIVIL AND CRIMINAL LIABILITIES

The permittee is liable for civil or criminal penalties for noncompliance with this permit and must comply with applicable State laws including promulgated water quality standards. The permit cannot be interpreted to relieve the permittee of this liability even if it has not been modified to incorporate new requirements.

8. EXPIRATION OF PERMIT

The permittee shall not operate the system after the expiration date. In order to receive permit renewal consideration to operate beyond the expiration date, the permittee shall submit such information, NOI forms, and fees as are required by the Division no later than 180 days prior to the expiration date. Also, during the active

term of the permit, the permittee must adjust the closure cost estimate and the amount of the financial assurance for inflation at each reissuance of the permit.

9. CONTESTED HEARINGS

Any person aggrieved or adversely affected by any action of the Director of the EPD shall petition the Director for a hearing within 30 days of notice of the action.

10. SEVERABILITY

The provisions of this permit are severable. If any permit provision or the application of any permit provision to any circumstance is held invalid, the provision does not affect other circumstances or the remainder of this permit.

11. NEW SYSTEMS

Prior to start-up of a new system:

- a. A professional engineer must certify that the system has been constructed in accordance with the design criteria outlined in the approved septage management plan.
- b. The Director's authorized agent may conduct an operability inspection of the septage handling facilities.
- c. Prior to coverage under the general permit, a septage management plan must be approved by the Division, which has been developed in accordance with the most recent EPD guidelines.
- d. After approval of the septage management plan, the septage management plan will be considered a part of the permit requirements and will be enforceable under this general permit for the owner/operator covered by the NOI.
- e. Final authorization to begin operation must be received in writing from the Division.

### **PART III**

#### **NOTICE OF INTENT REQUIREMENTS**

##### **A. DEADLINES FOR NOTIFICATION**

1. Owners of an existing septage land application system with a valid permit issued by the Department of Community Health under O.C.G.A. § 12-8-41, prior to June 30, 2007, can operate under said valid permit until July 1, 2012. Owners wishing to continue operation after this date must obtain a permit issued by the Division by July 1, 2012. To obtain coverage under this permit, owners of existing systems must submit a Notice of Intent (NOI) and Septage Management Plan in accordance with the requirements of this permit by January 1, 2012.
2. An owner of a septage land application system that is operating at the time of issuance of this permit is not precluded from submitting an NOI in accordance with the requirements of this permit after the deadlines provided in this section. In any such instance, the EPD may bring an enforcement action for failure to submit the NOI in a timely manner or for any unauthorized discharges of septage or sewage wastes to the land application system that have occurred after the deadlines provided in this section.
3. Owners of a new system who intend to obtain coverage under this permit for the land application of domestic septage shall submit a Notice of Intent (NOI) within twelve (12) months of EPD concurrence with the Septage Management Plan and other required documents for the system.
4. Establishment of an unauthorized septage land application system after the date of issuance of this permit will be considered a violation of this permit, the Rules and Regulations for Water Quality Control, and the Water Quality Control Act; unless an NOI has been submitted to the Division and the Division has allowed coverage of the system under this general permit; or unless the system is covered under an individual permit.

##### **B. NOI FOR CHANGE OF OWNERSHIP**

When ownership of a septage land application system which is covered by this general permit changes, the new owner must submit a new NOI to the EPD in accordance with the requirements of this permit at least thirty (30) days prior to the change of ownership. Failure to submit the new NOI may be considered an intentional violation of this permit. The EPD may decline to allow continued coverage under this general permit and may require coverage by another permit.

#### **PART IV**

##### **INTRODUCTION OF POLLUTANTS INTO THE APPLICATION SYSTEM**

The permittee must notify and obtain approval from EPD of any substantial change in the volume or character of pollutants from a septage source that existed when the permittee obtained coverage under this permit. This written notice shall include detailed information on the change in the quality and quantity of the septage source.